



DEPARTMENT OF HOUSING AND ECONOMIC DEVELOPMENT
CITY OF CHICAGO

August 12, 2013

Pavlyn Jankov
Chicago Teachers Union
222 Merchandise Mart Plaza,
Suite 400
Chicago, IL 60654

VIA ELECTRONIC MAIL:

Dear Mr. Jankov:

This letter is in response to your Freedom of Information Act ("FOIA") request, dated and received by the Department of Housing and Economic Development on July 29, 2013. In your request, you seek and state the following:

This letter constitutes a request under the Freedom of Information Act for records, maintained by the Chicago of Chicago Department of Housing and Economic Development. I am requesting the following documents:

- For each of the projects, for which TIF funds from any of the City of Chicago's TIF districts has been committed or obligated, I am requesting the legally binding contract or official document that details the full costs of the project and amounts of current and future TIF revenue that will be dedicated to the project.*
- For each of the TIF projects for which the financing has been committed through a bond, note or any financial vehicle other than direct payment through available TIF funds, I am requesting a copy of that note or bond issue.*
- For each TIF district in the City of Chicago the amount of the current, or amount current at the end of 2012, surplus fund balance—that is, the fund balance less all committed funds for future project costs. For example, the 2011 District Annual Reports for each TIF district, found on the website of the city of Chicago, lists on a page titled "Breakdown of the Balance in the Special Tax Allocation Fund at the End of the Reporting Period", the Total Amount **Committed** for Projects Costs. I am requesting the current, or amount current at the end of 2012, analogous amount of **committed** costs for each and every TIF district in the City of Chicago.*



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The FOIA provides in 5ILCS 140/3(g) that requests for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information.

Item one of the FOIA seeks: *legally binding contract or official document that details the full costs of the project and amounts of current and future TIF revenue that will be dedicated to the project.*

Please note the requested information is located within the individual Redevelopment Agreement (RA). Please access the enclosed link @ http://www.cityofchicago.org/city/en/depts/dcd/supp_info/district_overviews.html.

DHED is seeking clarification with regard to item two of your public records request which seeks the following: *For each of the TIF projects for which the financing has been committed through a bond, note or any financial vehicle other than direct payment through available TIF funds, I am requesting a copy of that note or bond issue.*

There are approximately 160 TIF Notes so; the broadness of the phrasing in your FOIA could potentially include a myriad of departmental documents. Additionally, the FOIA fails to provide a date range for the records. Please be aware that older records are stored off-site in hard copy format which would necessitate a massive search to locate the data. Additionally, once located DHED would be required to compile, sort, and organize the material to produce the responsive records. This process would take an estimated 30 minutes per record to locate, read and review each of the 160 Notes, totaling approximately 80 labor hours. Therefore, as your FOIA request is currently written, the dedication of staff and/or resources is unduly burdensome on the daily operations of the Department of Housing and Economic Development. If you agree to narrow your request, you must submit a revised written request to my attention. The Department of Housing and Economic Development will take no further action or send you any further correspondence unless and until your current request is narrowed in writing. If we do not receive your narrowed request within fourteen (14) calendar days of the date of this letter, your current request will be denied.



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Your request also sought bonds used to finance TIF projects. Please note the Department of Housing and Economic Development does not maintain bond information. You may wish to direct this portion of your FOIA request to the Chicago Department of Finance which would normally maintain records of this type.

Item three seeks: *amount current at the end of 2012, analogous amount of **committed** costs for each and every TIF district in the City of Chicago.* This information can be located in the DHED 2012 TIF Annual Reports which is available to the public on the City of Chicago website @ www.cityofchicago.org/city/en/depts/dcd/supp_info/district_annual_reports2012.html.

** Making this information available on the City of Chicago website satisfies 5 ILCS/140 of the Illinois Freedom of Information Statute.

If you agree to narrow your request, you must submit a revised written request to my attention. The Department of Housing and Economic Development will take no further action or send you any further correspondence unless and until your current request is narrowed in writing. If we do not receive your narrowed request within fourteen (14) calendar days of the date of this letter, your current request will be denied.

In the event that we do not receive a narrowed request and your current FOIA request is therefore denied, you will have the right of review by the Illinois Attorney General's Public Access Counselor, who can be contacted at 500 S. Second St., Springfield, IL 62706 or by telephone at (217) 558-0486. You may also seek judicial review of a denial under 5 ILCS 140/11 of FOIA.

Sincerely,

Tony Binns

Freedom of Information Officer

Department of Housing and Economic Development
312-744-0986